

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ERIK LYBARGER,	:
Petitioner	:
v.	: Case No. 3:14-cv-40-KRG-KAP
KEN CAMERON, WARDEN,	:
S.C.I. HOUTZDALE,	:
Respondent	:

Memorandum Order

Petitioner's Motion to Reopen Writ at docket no. 24 was referred to Magistrate Judge Keith A. Pesto in accordance with 28 U.S.C. § 636(b)(3) and Local Rule 72 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on May 14, 2015, docket no. 26, recommending that the motion be denied. The petitioner was notified, pursuant to 28 U.S.C. § 636(b)(1), that he had fourteen days to file written objections to the Report and Recommendation. Plaintiff filed several subsequent civil actions including a habeas corpus petition relevant to the same criminal conviction at Case No. 3:15-cv-89-KRG-KAP (W.D.Pa.), but no timely objections in this matter.

Upon de novo review of the record of this matter and the subsequent habeas corpus petition filed by petitioner and the Report and Recommendation, and noting the lack of objections thereto, the following order is entered:

AND NOW, this 3<sup>rd</sup> day of March, 2016, it is

ORDERED that the petitioner's Motion to Reopen Writ at  
docket no. 24 is denied.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson". The signature is written in a cursive, flowing style with some capital letters.

KIM R. GIBSON,  
UNITED STATES DISTRICT JUDGE

Notice by ECF to counsel of record and by U.S. Mail to:

Erik Lybarger LB-2565  
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